

REMARKS

Claims 1-16 are pending in the application. Claims 2 and 8-10 are amended by this amendment. No new matter is added. Reconsideration and allowance of the instant application are respectfully requested.

In office action claims 2, 8, 9, 10 are rejected under 35 U.S.C. 112(2), as being indefinite. Claims 2 and 8-10 have been amended herein to address the issues raised by the Examiner. In Claims 2 and 8-9, an acquisition unit has been amended to clarify that it is used to acquire all of the encryption keys. Withdrawal of the rejections of Claims 2 and 8-10 under 35 U.S.C 112(2) is respectfully requested.

On the merits, claims 1-11 and 14-16 are rejected under 35 U.S.C. 102(b) as anticipated by Japanese Patent Publication 11-196081 published on (July 21, 1999) to Anzai. Claims 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anzai in view of US Patent 7,024,553 to Morimoto. Claims 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anzai. These rejections are respectfully traversed for at least the following reasons.

Independent claim 1 is directed to a system for performing encryption communications comprising a key transmitting device and a key receiving device. The key transmitting device includes a first setting unit setting a most-updated encryption key and a one-generation-anterior encryption key for receipt. The key receiving device includes a second setting unit setting a most-updated encryption key and a one-generation-anterior encryption key for receipt. Both devices include a setting unit which sets two kinds of encryption key for receipt.

In contrast, Anzai discloses that a decode key A of the decode key storage means 36 performs crypto communications, and doesn't use the reserve key B of the 2nd reserve key storage means 35. Anzai also discloses that when using the reserve key B of the 2nd reserve key

storage means 35 as a new decode key, it is transmitted to the decode key storage means 36, and the decode key A is discarded (paragraphs 86-87, Anzai).

Thus, in Anzai, the decode key A and the reserve key B are not used at the same time. Because, using the reserve key B as a new decode key, the decode key A is discarded. In Anzai, a key used for a decode key is only one key. The reserve key in Anzai is not a decode key but a reserve key which would be used in exchange for the present decode key. Anzai does not teach or disclose that the key transmitting device includes first setting unit setting a most-updated encryption key and a one-generation-anterior encryption key for receipt, and the key receiving device includes second setting unit setting a most-updated encryption key and a one-generation-anterior encryption key for receipt.

Accordingly, independent Claim 1 patentably distinguishes over Anzai and is allowable. Independent Claims 14-16 are also patentable by patentable features from Claim 1. Claims 2-11 that depend from Claim 1 being one of these allowable base claims are allowable therewith. Claims 12 and 13 that depend from Claim 1 being one of these allowable base claims are allowable therewith. Accordingly, withdrawal of the rejections is requested.

In Conclusion

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

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Docket No.: FUJY 20.758 (100794-00509)
NW:cc